



CITY COUNCIL
ATLANTA, GEORGIA

ORDINANCE

01-0-1490

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON August 30, 2001

1180 Egleston Street, SW	04
682 Flamingo Drive, SW	10
2300 Herring Road, SW	11
883 Magnolia St., NW aka 886 Booker	03
812 Parsons Street, SW	04
639 Reed Street, SE	02
119 Vanira Avenue, SE	02

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on August 30, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, August 30, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
1180 Egleston Street, SW	04
682 Flamingo Drive, SW	10
2300 Herring Road, SW	11
883 Magnolia St., NW aka 886 Booker	03
812 Parsons Street, SW	04
639 Reed Street, SE	02
119 Vanira Avenue, SE	02

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached
In an amount necessary to recover the costs incurred by the City of Atlanta

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

OCT 15, 2001
OCT 23, 2001



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Seema Nanda
Heritage Bank

on 8-10-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 117 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING AT A POINT located on the southerly right-of-way of Eggleston Street (40 foot right-of-way) said point being located a distance of 195 feet easterly, as measured along said right-of-way, from the intersection of said right-of-way with the easterly right-of-way of Holderness Street; from said POINT OF BEGINNING running thence south 87 degrees 14 minutes 41 seconds east, and following along the southerly right-of-way of Eggleston Street, a distance of 173.04 feet to a point; running thence south 2 degrees 25 minutes 47 seconds west a distance of 206.81 feet to a point; running thence north 86 degrees 36 minutes 18 seconds west a distance of 173.49 feet to a point; running thence north 00 degree 48 minutes 43 seconds west a distance of 25.00 feet to a point; running thence north 03 degrees 00 minutes 59 seconds east a distance of 179.92 feet to a point and the POINT OF BEGINNING.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: August 10, 2001

BY:

Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Andrea Brownridge
Prudential Home Mortgage Company, Inc.
Sheriff of Fulton County

on 8-10-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot
203 of the 14th District, Fulton County, Georgia, being Lot
17, Unit Eleven, Audubon Forest, as per plat recorded in
Plat Book 66, Page 31, Fulton County Records, which plat is
incorporated herein and made a part hereof by reference.

Being known as improved property 682 Flamingo Drive, SW, Atlanta, Georgia
according to the present numbering system in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

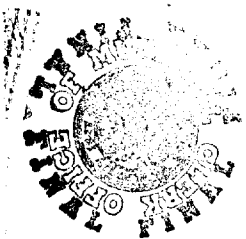
Dated: August 10, 2001

BY:

Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Canty
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Clemon Wright
National Tax Funding, LP

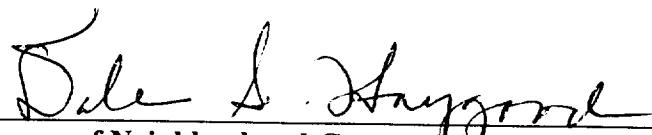
on 8-10-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 183 in the 14th district of Fulton County, Georgia, more particularly described as follows: fronting 36 feet on the east side of Herring Road between Worthem Avenue and Beecher Road and running back 100 feet, more or less, in an easterly direction; being improved property known as 2300 Herring Road, SW, according to the present system of numbering houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

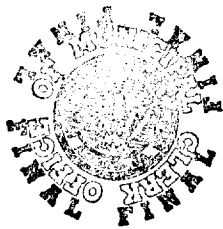
Dated: August 10, 2001

BY:


Bureau of Neighborhood Conservation, Official Agent

BY:

Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Mattie Wright
FUNB as Custodian for National Tax Funding
Republic Land & Investment Company
Internal Revenue Service
Earth Wise Properties, LLC

on 8-15-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

all that tract
or parcel of land lying and being in Land Lot 110 of the 14th District
of Fulton County, Georgia, in the City of Atlanta, and being more
particularly described as follows:

BEGINNING at the northwest intersection of Elijah Street and Magnolia Street, and running thence west along the north line of Magnolia Street, one hundred twenty nine (129) feet to an iron pin; thence north, on a line which forms an interior angle of 89 degrees 55 minutes with the north line of Magnolia Street, two hundred ninety two and three tenths (292.3) feet to the south line of Booker Washington Drive, which point according to the description in the deeds in the chain of title is two hundred sixty one (261) feet east, as measured along the south line of Booker Washington Drive, from the southeast intersection of Booker Washington Drive and Ashby Street, and is also located at the north-east corner of property now or formerly owned by Mrs. Ruby Richardson; and running thence east along the south line of Booker Washington Drive, eighty six (86) feet to an iron pin; thence south, one hundred fifty (150) feet along the east line of property now or formerly owned by Roy Jones; thence east, forty three (43) feet to the west line of Elijah Street; thence south along the west line of Elijah Street, one hundred forty two and three tenths (142.3) feet to the point of beginning; being improved property known as No. 886 BOOKER WASHINGTON DRIVE, N.W. and No. 883 MAGNOLIA STREET, N. W., according to the present system of numbering houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: August 15, 2001

BY:

Dale L. Haygood

Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Canty

Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Andrea Johnson
Red Hill Associates, LLC
Sheriff of Fulton County
J. Harding Construction, Inc.
Ray Lange's Heating & Air Conditioning, Inc.

on 8-10-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

all that tract or parcel of land, lying and being in _____
Land Lot 109 of the 14th District of Fulton County, Georgia, and being more particularly
described as follows:

BEGINNING at a point on the south side of Parson Street one hundred twenty-six (126) feet
west of Raymond Street, and running thence west along Parson Street forty-two (42) feet, more
or less; thence southerly one hundred (100) feet, more or less; thence easterly forty-two (42)
feet, more or less; thence northerly one hundred (100) feet to the beginning point on Parson
Street, said property being known as 612-14 (formerly 614) Parson Street, S. W., according to
the present numbering of houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such
real property.

Dated: August 10, 2001

BY:

Dale S. Haggard
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Castings
Assistant Real Estate City Attorney

RCS# 3206
10/15/01
5:05 PM

Atlanta City Council

Regular Session

MULTIPLE

01-O-1490 Clean & Demolish
01-O-1491 Clean & Close
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

NV McCarty	Y Dorsey	Y Moore	Y Thomas
NV Starnes	Y Woolard	Y Martin	Y Emmons
NV Bond	Y Morris	Y Maddox	Y Alexander
NV Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

01-0-1490

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO
DIRECT THE DEPARTMENT OF PLANNING,
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO
DEMOLISH AND CLEAN THE PREMISES OF VARIOUS
STRUCTURES, PURSUANT TO ARTICLE III OF THE
ATLANTA HOUSING CODE AND A HEARING
CONDUCTED BY THE IN REM REVIEW BOARD ON
August 30, 2001

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682 Flamingo Drive, SW 10
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883 Magnolia St., NW aka 886 Booker 03
812 Parsons Street, SW 04
639 Reed Street, SE 02
119 Vanira Avenue, SE 02

ADOPTED BY
OCT 15 2001

COUNCIL

- ☒ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 10/1/01

Referred To: CD/HK

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

OCT 15 2001

CERTIFIED
OCT 15 2001

Phyllis Dugan Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

OCT 23 2001

MAYOR